

SUMMONS

SC-85-1

Clyde Castleberry Co., Covington, GA. 30015

IN THE ~~SUPERIOR~~ STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

ROBIN HOUSTONCIVIL ACTION
NUMBER 12 C-06979-4

PLAINTIFF

VS.

PUBLIX SUPERMARKETS, Inc.

DEFENDANT

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Keith E. Fryer, Esquire
FRYER, SHUSTER & LESTER, P.C.
1050 Crown Pointe Parkway, Suite 410
Atlanta, Georgia 30338 -- 770-668-9300

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 24 day of October, 20 12.

Clerk of Superior/State Court

BY

Deputy Clerk

EXHIBIT

A

tabbles

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

ROBIN HOUSTON,

Plaintiff,

vs.

PUBLIX SUPERMARKETS, INC.,

Defendant.

CIVIL ACTION FILE
NO. _____

Judge: IANNAZZONE

12 C-06979-4

FILED IN OFFICE
CLERK STATE COURT
GWINNETT COUNTY GA
2012 OCT 24 AM 1:11
RICHARD ALEXANDER, CLERK

PLAINTIFF'S COMPLAINT FOR DAMAGES

COMES NOW Robin Houston, Plaintiff herein, and through her counsel of record, files her Complaint for Damages and in furtherance thereof shows this Honorable Court the following:

1.

This is a personal injury action, which arises from a negligence incident, which occurred on July 24, 2012.

Parties, Jurisdiction and Venue

2.

Plaintiff Robin Houston was injured due to a foreign substance hazard on the floor of the premises occupied and managed by Defendant Publix Supermarkets, Inc. (hereinafter referred to as "PUBLIX"), and she is the proper party to maintain this action for her injuries and damages, past, present and future.

LAW OFFICES
FRYER, SHUSTER
& LESTER, P.C.

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(770) 668-9300

3.

Defendant PUBLIX is a corporation operating for the purpose of pecuniary profit and gain. Defendant PUBLIX has a registered agent and office for service of process, the same being: **Corporation Process Company, 2180 Satellite Boulevard, Suite 400, Duluth, Gwinnett County, Georgia 30097.**

4.

Once served with process, Defendant PUBLIX is subject to the jurisdiction and venue of this Court.

Liability

5.

On July 24, 2012, Plaintiff Robin Houston went upon the premises of PUBLIX located at 2158 Hwy 20 West, McDonough, Henry County, Georgia, 30253-7205 as a customer of the retail store located there.

6.

Defendant PUBLIX was the occupier, operator and manager of the store.

7.

Defendant, by express or implied invitation, induced or led others, including Plaintiff Robin Houston, to come upon said premises for a lawful purpose.

8.

Defendant is liable to the Plaintiff because Defendant PUBLIX failed to exercise ordinary care to keep the premises safe on July 24, 2012.

9.

Defendant is liable to Plaintiff for carelessness and/or negligence in the operation, housekeeping, and/or maintenance of the subject PUBLIX store on July 24, 2012.

10.

As a result of the conduct of Defendant PUBLIX, Robin Houston slipped in a foreign substance, and fell violently to the floor, which resulted in a serious personal injury to her neck that required surgery.

Damages

11.

As a direct and proximate result of the negligence of Defendant PUBLIX, Plaintiff Robin Houston incurred medical and related expenses in excess of \$50,000.00, lost income, endured pain and suffering, and will have personal injury damages in the future.

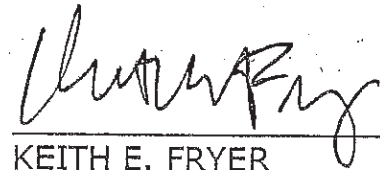
WHEREFORE, Plaintiff prays for the following:

- (a) That process issue and service be had on Defendant PUBLIX;
- (b) That judgment be granted in favor of the Plaintiff Robin Houston and against Defendant, in an amount to be determined by the enlightened conscience of a fair and impartial jury, for

past, present and future medical and related expenses, past, present and future lost income, and past, present and future pain and suffering and permanent disability;

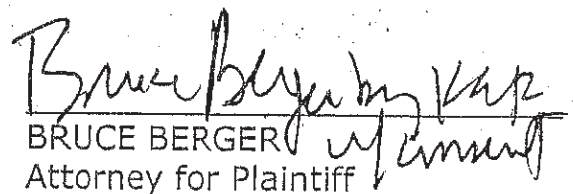
- (c) That Plaintiff recovers the costs of this action; and
- (e) For such other and further relief as the Court deems just and proper.

Respectfully submitted,



KEITH E. FRYER
Attorney for Plaintiff
Georgia Bar No. 279037

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